



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/592,599	06/12/2000	Dongyan Wang	SAMI.PAU.64	7070
23386 7590 06/11/2009 Myers Andras Sherman LLP 19900 MacArthur Blvd. Suite 1150 Irvine, CA 92612				
EXAMINER				
TRAN, MYLINH T				
ART UNIT		PAPER NUMBER		
2179				
MAIL DATE		DELIVERY MODE		
06/11/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/592,599

Applicant(s)

WANG ET AL.

Examiner

MYLINH TRAN

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 8-14, 18-24 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8-14, 18-24, 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/C)
- Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 04/09/09 has been entered.

Applicant's amendment filed 04/09/09 has been entered and carefully considered. Claims 1, 2-4, 8-14, 18-24, 28 have been amended. Claims 15, 17, 25 and 27 have been canceled. However, the limitations of the amended claims have not been found to be patentable over prior art of record. These claims 1-6, 8-14, 18-24 and 28 are rejected under the same ground of rejection as set forth in the office action mailed 10/27/08.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-6, 8-14, 18- 24 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Hoffberg et al. [US. 2006/0200253].

As per independent claims 1, 10 and 20, Hoffberg et al. teach a computer implemented method and corresponding system for providing a user interface for controlling devices that are currently connected to a network comprising the steps/means:

for at least one of said devices:

discovering a plurality of devices that are currently connected to the network (0869);

obtaining information for commanding and controlling at least one of the plurality of devices by at least one other device currently connected to physical layer of the network, wherein the information and including at least a device name and service type (0971);

wherein the physical layer provides a communication medium that can be used by the plurality of devices to communicate with each other (0890);

generating a user interface based at least on the obtained information (1313), the user interface description including one or more references associated with the device information in each of said devices currently connected to the network (0666); and

displaying the generated user interface such that a user can use each reference of the displayed user interface to access each device (0820); when one of the at least one electronic link in the top page user interface description is selected by a user, using the selected link to access the associated device and use the control interface description contained in the selected device to generate a device user interface for user interaction with that selected device (0818-0820).

As per claims 2, 11 and 21, Hoffberg teaches a type of service that each device can provide and the user control interface is generated and displayed based on at least an attribute and capability of the service type (0835).

As per claims 3, 12 and 22, Hoffberg teaches the steps of generating the top page the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device (0807-0808).

As per claims 4, 5, 13, 14, 23 and 24, Hoffberg generating the top page user interface description further includes the steps of associating a hyper-text link (0807) with the device information in each of said devices currently connected to the network, such that each hyper-text link provides access from the top page user interface description to the device information in a corresponding device and the information in each device comprises an HTML page for user interaction with and/or control of that device (0810).

As per claims 6, Hoffberg teaches the device information in each device includes device identification information for that device (0831).

As per claim 8, Hoffberg teaches the steps of generating the top page user interface description such that each link in the top page user interface description provides direct access to at least the user control interface description in each associated device (0815).

As per claims 9, 18 and 28, Hoffberg teaches the steps of generating the top page user interface description such that the top page user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing one of the at least one electronic link to the user control interface description in each device, such that when the one link in the top page is user activated, the activated link is used to access the associated device and retrieve control interface description contained in the corresponding device to generate and display a device user interface based on the retrieved control interface description, for user interaction with that associated device (0836).

As per claim 19, which is dependent on claim 10, Hoffberg teaches means for generating at least one top page user interface by: using each link in the top page user interface description to access the device information in each corresponding device, and generating the top page user interface including device data corresponding to each device using the accessed information in each device (0801-0802).

Response to Arguments

Applicant has argued that Hoffberg does not teach or suggest "directly obtaining information from one or more of the devices"; the information that the device obtains relates only to the user. However, Hoffberg, as disclosed in the abstract, teaches an internet appliance adapted for communicating with the Internet and a local area network, at least one data interface, for controlling a data transfer between the local area network and the Internet, and defining a markup language interface communicated through a packet data network interface, to control a data transfer or control a remote device. It is clear that Hoffberg teaches information obtained from the appliances related to the corresponding devices not the users.

Applicant has argued that Hoffberg fails to disclose "accessing the associated device and use the control interface description contained in the selected device to generate a device user interface for user interaction with that selected device", "the top page user interface description further includes device data corresponding to each device; and using each link in the top page user interface description to access the device information in each corresponding device". However, the examiner respectfully disagrees because Hoffberg teaches the limitation at 0818-0820. Applicant's attention is directed to the cited page "the user

programs, through an adaptive user interface according to the present invention, the processing of data, by defining a criteria and actions to be taken based on the determination of the criteria...A pattern recognition subsystem allows a description of an event without explicit definition of the data representing the event. Thus, instead of requiring explicit programming, an operator may merely define parameters of the desired event." **The event is considered as the description contained in the appliance devices.** It is clearly that Hoffberg clearly teaches the control interface description contained the selected device.

Applicant's attention is also directed to the abstract which cited "An Internet appliance, comprising, within a single housing packet data network interface, adapted for communicating with the Internet and a local area network, at least one data interface selected from the group consisting of a universal serial bus...a voice telephony interface, an audio program interface, a video program interface...."

Applicant also argued that Hoffberg does not teach "a pointer from the top page user interface description to at least the device information in an associated device." However, the feature is disclosed at the paragraph 0830 mentioning learning and adaptive interface that detects events and makes decisions based on known or predetermined characteristics. Applicant states that the remainder of Hoffberg does use the phrase "pointer", but in completely different context. However, the applicant is advised to recite "pointer" feature into the claim.

Besides, it would have been well known in the art that device information in an associated device has its own link (icon) on the top page user interface in order to locate a right device to be controlled.

Applicant argued that Hoffberg does not teach "the device information in each device includes device identification information for that device." However, the feature is disclosed at paragraph 0975 which cited "It is noted that smart cards or other intelligent or data containing identifications system may be used with different types of devices, for example video, audio, home appliances...". It means that each device contains its own identification information such as smart cards, intelligent or data for that device.

Applicant has argued that Hoffberg does not teach "each link in the top page user interface description provides direct access to at least the user control interface description in each associated device." However, the feature is disclosed at the paragraph 0667 which cited "external inputs and outputs may be provided to the videophone or videoconference terminal, which maybe processed locally and/or transmitted over the telecommunications link. The local device, in this case, is provided with a continuous connection or an autodial function, to create a communications link as necessary."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran.

The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo, can be reached at 571-272-4847.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

Art Unit 2179

/Weilun Lo/

Supervisory Patent Examiner, Art Unit 2179